

**State of Minnesota**

**District Court**

**County of Hennepin**

**Fourth Judicial District**

**MICHAEL H. JOHNSON, JR.,**

**Court File Number: \_\_\_\_\_**

**Plaintiff,**

**Case Type: Permanent Injunction of  
Foreclosure Sale**

**vs.**

**WELLS FARGO BANK, NATIONAL  
ASSOCIATION, AS TRUSTEE FOR  
THE HOLDERS OF THE SASCO 2007-  
MLN1 TRUST FUND,**

**Summons**

**Defendant.**

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**THIS SUMMONS IS DIRECTED TO: WELLS FARGO BANK, NATIONAL ASSOCIATION,  
AS TRUSTEE FOR THE HOLDERS OF THE SASCO 2007-MLN1 TRUST FUND, BY AND  
THROUGH ITS REGISTERED AGENT FOR SERVICE OF PROCESS, CORPORATION  
SERVICE COMPANY, 380 JACKSON STR, #700, ST PAUL, MN 55101**

**1. YOU ARE BEING SUED.** The Plaintiff has started a lawsuit against you. The Plaintiff's Complaint against you is attached to this summons. Do not throw these papers away. They are official papers that affect your rights. You must respond to this lawsuit even though it may not yet be filed with the Court and there may be no court file number on this summons.

**2. YOU MUST REPLY WITHIN 20 DAYS TO PROTECT YOUR RIGHTS.** You must give or mail to the person who signed this summons a **written response** called an Answer within 20 days of the date on which you received this Summons. You must send a copy of your Answer to the person who signed this summons located at:

**BITTLE BOSMAN LLC, 5775 WAYZATA BLVD., SUITE 700, ST. LOUIS PARK,  
MINNESOTA 55416 (952.582-2900).**

**3. YOU MUST RESPOND TO EACH CLAIM.** The Answer is your written response to the Plaintiff's Complaint. In your Answer you must state whether you agree or disagree with each paragraph of the Complaint. If you believe the Plaintiff should not be given everything asked for in the Complaint, you must say so in your Answer.

**4. YOU WILL LOSE YOUR CASE IF YOU DO NOT SEND A WRITTEN RESPONSE TO THE COMPLAINT TO THE PERSON WHO SIGNED THIS SUMMONS.** If you do not Answer within 20 days, you will lose this case. You will not get to tell your side of the story, and the Court may decide against you and award the Plaintiff


everything asked for in the complaint. If you do not want to contest the claims stated in the complaint, you do not need to respond. A default judgment can then be entered against you for the relief requested in the complaint.

**5. LEGAL ASSISTANCE.** You may wish to get legal help from a lawyer. If you do not have a lawyer, the Court Administrator may have information about places where you can get legal assistance. **Even if you cannot get legal help, you must still provide a written Answer to protect your rights or you may lose the case.**

**6. ALTERNATIVE DISPUTE RESOLUTION.** The parties may agree to or be ordered to participate in an alternative dispute resolution process under Rule 114 of the Minnesota General Rules of Practice. You must still send your written response to the Complaint even if you expect to use alternative means of resolving this dispute.

BITTLE BOSMAN LLC

Dated: April 23, 2011

By   
Paul J. Bosman, I.D. No. 388865  
Park Place East  
5775 Wayzata Blvd., Ste. 700  
St. Louis Park, MN 55416  
952-582-2900

**State of Minnesota**

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MICHAEL H. JOHNSON, JR.,

Court File Number: \_\_\_\_\_

Plaintiff,

Case Type: Permanent Injunction of  
Foreclosure Sale

vs.

WELLS FARGO BANK, NATIONAL  
ASSOCIATION, AS TRUSTEE FOR  
THE HOLDERS OF THE SASCO 2007-  
MLN1 TRUST FUND,

**Complaint**

Defendant.

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Plaintiff Michael H. Johnson, Jr., by counsel Paul Bosman, Esq., complaining of the  
Defendant alleges:

1. Plaintiff is the owner of record of an estate in fee simple of the property located at 8204 Hiawatha Circle, Eden Prairie, MN , also known as Lot 5, Block 1 of Hipps Mitchell Heights, with the property identification number 16-116-22-41-0011 (the "Property").

2. On or about November 6, 2006, Mortgage Electronic Registration Systems, Inc. recorded a mortgage in the amount of \$248,000 on the Property with the Clerk of the County of Hennepin.

3. On or about March 9, 2011, Defendant caused to be recorded an assignment of the Mortgage running in favor of Defendant. (the "Assignment of Mortgage")

4. The Assignment of Mortgage from Mortgage Electronic Registration Systems, Inc. to Defendant was executed on February 1, 2011.

5. On information and belief, the Assignment of Mortgage is void as a matter of law because it was a prohibited transaction under the terms of the trust instrument which governs the actions of the trustee of the SASCO 2007-MLN1 Trust Fund.

6. Also on or about March 9, 2011, Defendant, through its counsel, served a Notice of Mortgage Foreclosure Sale upon Plaintiff, which states that a Sheriff's Sale of the Property is to occur on May 6, 2011.

7. Because the Assignment of Mortgage is void as a matter of law, Defendant lacks an interest in the Mortgage.


8. Accordingly, Defendant's Notice of Mortgage Foreclosure Sale is invalid.

9. Plaintiffs have no adequate remedy at law.

WHEREFORE, Plaintiff respectfully requests the following relief:

- (i) An order permanently enjoining and restraining the Defendant and the Sheriff of Hennepin County from taking any steps to effect a foreclosure sale on the subject property;
- (ii) In the alternative, ordering any foreclosure sale on behalf of Defendant to be void.
- (iii) Together with such other relief as the court deems proper, including the costs and disbursements of this action.

Dated: April 23, 2011

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Park Place East  
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St. Louis Park, MN 55416  
952-582-2900

**ACKNOWLEDGMENT**

The Plaintiff hereby acknowledge that costs, disbursements and reasonable attorney and witness fees, may be awarded to Defendant pursuant to Minn. Stat. §549.21, subd. 2.

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